

Order

Michigan Supreme Court
Lansing, Michigan

October 14, 2005

Clifford W. Taylor,
Chief Justice

127836

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

BEVERLY HEIKKILA, as Personal
Representative of the ESTATE OF SHERI
L. WILLIAMS,
Plaintiff-Appellee,

v

SC: 127836
COA: 246761
Monroe CC: 00-011135-NI

NORTH STAR TRUCKING, INC.,
Defendant,
and

MARC ROLLAND SEVIGNY and J.R.
PHILLIPS TRUCKING, LTD.
Defendants-Appellants,
and

NORTH STAR STEEL CO.,
Defendant-Cross-
Plaintiff-Appellee,

v

INTERNATIONAL MILL SERVICE, INC.
Defendant/Cross-
Defendant-Appellee.

On order of the Court, the application for leave to appeal the December 7, 2004 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), we direct the Clerk to schedule oral argument on whether to grant the application or take other peremptory action permitted by MCR 7.302(G)(1). The parties shall include among the issues to be addressed at oral argument the questions whether plaintiff created a genuine issue of material fact regarding: (1) the duty owed plaintiff's decedent by the slag contractor, the truck driver and the truck owner; and (2) proximate causation as to all defendants. The parties may file supplemental briefs within 28 days of the date of this order, but they should avoid submitting a mere restatement of the arguments made in their application papers.



d1010

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 14, 2005

Corbin R. Davis

Clerk